

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 14 has been amended for clarity.

The Examiner has rejected claim 14 under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Applicants believe that the Examiner is mistaken. In particular, as noted in MPEP §2106.01, "In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component." Applicants submit that the computer program having code segments as claimed in claim 14 is indeed such functional descriptive material. Further, "When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized." Applicants submit that such is the case in claim 14, where a computer-readable medium has recorded thereon a computer program comprising code segments for causing the computer to...."

Applicants therefore believe that the invention as claimed in claim 14 is indeed statutory.

The Examiner has rejected claims 1, 2, 9-11, 13, 14 and 17 under 35 U.S.C. 103(a) as being unpatentable over European Patent Application No. EP1182874 A1 to Leporini et al. in view of U.S. Patent 7,350,204 to Lambert et al. The Examiner has further

rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Leporini et al. in view of Lambert et al., and further in view of U.S. Patent 6,505,160 to Levy et al. In addition, the Examiner has rejected claims 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Leporini et al. in view of Lambert et al., and further in view of International Patent Application No. WO 01/82588 A2 to Yap et al. Furthermore, the Examiner has rejected claims 12 under 35 U.S.C. 103(a) as being unpatentable over Leporini et al. (arguably in view of Lambert et al.) and further in view of Applicants' admitted prior art (AAPA).

The Leporini et al. patent discloses a digital content protection system which, according to the Examiner, teaches "a method of recording [para 0103] and/or [para 0001, 0002] of recorded interactive television [para 0021], comprising tagging of recorded interactive television content with identification information for access control to the recorded interactive television content (associating content management information [para 00141 and conditional information [para 0016] with stored contents [para 0034])."

The Lambert et al. patent discloses policies for secure software execution, in which "The security level may disallow the software's execution, restrict the execution to some extent, or allow unrestricted execution. To restrict access, a restricted access token may be computed that reduces software's access to resources, and/or removes privileges, relative to a user's normal access token" (see Abstract).

The Examiner states:

"Lambert teaches a policy for secure software execution comprising an object (objects comprising files - col. 8, l. 14-18) tagged with a security descriptor determined by the content creator (col. 9, l. 17-35), where the security descriptor may specify a security identification (SID) corresponding to the creating process such that only processes labeled with the particular SID may access the file (col. 10, l. 14-38). Therefore, Lambert teaches controlling access to content such that the content may only be deleted or modified (ie, accessed) by the application that caused the recording of the contents (the creator or owner of the file, specified by the SID), said object tagged with identification information identifying the application (the access control list containing a single SID)."

Claim 1 (as well as claims 14 and 17) includes the limitation "controlling access to said recorded interactive television content in such a manner that recorded interactive television content, while capable of being accessed by other applications, may only be deleted or modified by an application that recorded said interactive television content".

Applicants submit that while Lambert et al. teaches that access, concomitant with the ability to delete or modify, may be restricted to a SID, Lambert et al. neither discloses nor suggests allowing access to the content to other applications while restricting the ability to delete or modify the content to only the application that caused the content to be recorded.

This feature of the subject invention is described in the specification on page 5, lines 6-18.

The Levy et al. patent discloses connected audio and other media objects, which "discloses a method of linking identification

information to broadcast content by including a broadcast identifier in the identification information [col. 3, I. 23-48]."

However, Applicants submit that Levy et al. does not supply that which is missing from Leporini et al. and Lambert et al., i.e., "controlling access to said recorded interactive television content in such a manner that recorded interactive television content, while capable of being accessed by other applications, may only be deleted or modified by an application that recorded said interactive television content".

Claim 6 includes the limitation "indicating, to a play-back application for playing back interactive television content, which other interactive television content stored on a storage medium is related to said play-back application by means of said identification information

The Yap et al. PCT publication discloses a DVR with enhanced functionality, in which "tags" may be included which associate the content with further content, e.g., actors in a particular movie, the director of the movie, a synopsis of the movie, etc.

Applicants submit that while the tags of Yap et al. may indicate further content related to the tagged content, there is no disclosure or suggestion of indicating other content on the storage medium which is related to the play-back apparatus.

Further, Applicants submit that Yap et al. does not supply that which is missing from Leporini et al. and Lambert et al., i.e., "controlling access to said recorded interactive television

content in such a manner that recorded interactive television content, while capable of being accessed by other applications, may only be deleted or modified by an application that recorded said interactive television content".

While AAPA discloses that MHP is a well-known standard, Applicants submit that AAPA does not supply that which is missing from Leporini et al. and Lambert et al., i.e., "controlling access to said recorded interactive television content in such a manner that recorded interactive television content, while capable of being accessed by other applications, may only be deleted or modified by an application that recorded said interactive television content".

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1, 2, 5-7, 9-14 and 17, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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